

**ALAMEDA COUNTY SUPERIOR COURT**  
**APPLICATION FOR APPOINTMENT TO ADR PANELS**  
*including Judicial Arbitration, Mediation, Neutral Evaluation, and Private Arbitration*

**1. APPLICANT:**

Applicant's Name: J. GARY Mc AULIFFE  
Firm Name: \_\_\_\_\_  
Address: 3652 QUIET PLACE DRIVE  
City/State/Zip: WALNUT CREEK, CA 94598  
Telephone: (925) 945-1678 Fax: (925) 945-1678  
Email: Jgary.mcauliffe@astound.net

**2. PANEL REQUEST:** *(All applicants are requested to serve as Judicial Arbitrators)*

Check each panel for which you are applying:

☒ Judicial Arbitration ☒ Mediation ☐ Neutral Evaluation ☒ Private Arbitration

**3. EDUCATION:**

Dates (from-to)	College/University/Law School	Degree Obtained
<u>1956 - 1960</u>	<u>Pomona College</u>	<u>B.A.</u>
<u>1960 - 1963</u>	<u>Stanford University Law School</u>	<u>L.B.</u>

**4. LEGAL EXPERIENCE:** State Bar No. 34726 Date Admitted: 1964

A. Are you a member in good standing of the State Bar of California? ☒ Yes ☐ No

B. Are you a retired judicial officer? ☐ Yes ☒ No

Please describe when/where you last served as a judicial officer: \_\_\_\_\_

C. Are you actively engaged in the practice of law at this time? ☐ Yes ☒ No

If not, are you retired from practice? YES Date retired: JULY, 2000

If your license is presently inactive, please explain: N/A

D. Are you currently active in litigation practice? ☐ Yes ☒ No

Approximately what percentage of your practice involves litigation? N/A %

E. If your practice includes personal injury litigation, approximately what percentage of your practice involves the representation of: plaintiffs - % ; of defendants - % ?

F. How many of the following have you personally handled as attorney of record in the past five years? Jury Trials 0 ; Court Trials 0 ; Mediations 16 ; Arbitrations 12 ;

G. Describe any legal publications or teaching you have done: N/A

## 5. ADR TRAINING and EXPERIENCE

Course Title	Sponsoring Organization	Hours of Credit	Dates
<p>A. Number of years experience as: mediator <u>2</u>; arbitrator <u>21</u>; neutral evaluator <u>—</u>;</p> <p>B. List all other court-connected ADR panels of which you are a member, specifying the processes for which you have qualified: <u>Contra Costa Superior Court: Mediation (EASE) panel and Judicial Arbitration panel</u></p> <p>C. State the name(s) of any organization(s) through which you have provided ADR services during the past five years, giving the dates and the services you provided: <u>Alameda County Bar Association ADR Placement Service: mediation and Arbitration services</u></p> <p>D. Describe the subject matter of five disputes in which you served as the ADR provider in the past 5 years, including the dates of service, the process and if you were sole or co-provider.</p> <ol style="list-style-type: none"> <li>1. <u>Personal injury - Auto, 4/10/03, Mediation, Sole provider;</u></li> <li>2. <u>Personal injury - Trip + Fall, vs. govt entity, 1/4/03, arbitration, Sole;</u></li> <li>3. <u>Personal injury - auto, 1/7/03, arbitration, Sole provider;</u></li> <li>4. <u>Personal injury - auto 11/25/02, mediation, Sole provider;</u></li> <li>5. <u>Personal injury - auto, with Workers Comp, 10/29/02, mediation, sole</u></li> </ol> <p>E. Is your ADR style best described as <input checked="" type="checkbox"/> facilitative or <input type="checkbox"/> evaluative/directive?</p> <p>F. Describe any ADR related publications or training you have done: <u>N/A</u></p> <p>G. Set forth your hourly fee or fee schedule, including any sliding scale or pro bono provisions. Attach a copy of your fee agreement. (Please note: Judicial arbitrators waive compensation for the first three (3) hours of hearing time in Alameda County and all ADR panelists are requested to accept at least three (3) Judicial arbitration cases per year).</p> <p><u>\$200 per hour including preparation, review and conference time. \$50 per hour, "Modest means"</u></p>			

## 6. AVAILABILITY/SPECIAL REQUIREMENTS

- A. List any languages, other than English, in which you are able to conduct ADR proceedings: —
- B. Please state any special bi-cultural/multi-cultural capabilities or familiarity you possess: —
- C. You are available to conduct ADR conferences: — in your office; ☒ at counsel's office; ☒ other (please describe: Alameda + Contra Costa Bar Ass'n Office)
- D. You are available to conduct ADR proceedings: ☒ during regular office hours; ☒ evenings by appointment; ☒ weekends by prior arrangement;
- E. Please describe any requirements you have for ADR participants such as submission of copies of pleadings, briefs, declarations in lieu of testimony, etc.: Mediation conference statements, presence of insurance claim representative at mediation conferences, absent prohibitive circumstances.

## 7. SUBJECT MATTER DESIGNATION

Please check each area below in which you are qualified by training/experience to provide ADR services, indicating the percentage it represents of your law practice, if any, and the ADR process(es) which you are prepared to offer in that area:

Case Type Accepted	% of Practice	Judicial Arb.	Mediation	Neutral Eval.	Private Arb.
Bankruptcy	to June, 2000				
Business/Corp.					
Civil Rights					
Collections					
Construction					
Contracts					
Elder law/abuse					
Employment					
-Discrimination					
-Harassment					
-Termination					
Environmental					
Fraud					
False Imprison.					
Family Law					
HO Ass'n					
Insurance Cov.					
Intellect. Property					
Landlord-Tenant					
Legal Malpractice					
Maritime					
Med Malpractice					
Partnership					
P.I. - Auto	80	✓	✓		✓
P.I. - Other	10	✓	✓		✓
Premises Liability	10	✓	✓		✓
Probate/Trust					
Product Liab.					
Real Property					
Securities				✓	
Tax					
Toxic Torts					
Wrongful Death					
Other:					

## ALTERNATIVE DISPUTE RESOLUTION FEE AGREEMENT

We, the undersigned parties and/or attorneys have voluntarily agreed to submit our dispute to the following indicated method of alternative dispute resolution:

\_\_\_\_\_

We have further agreed that J. Gary McAuliffe shall serve as the alternative dispute resolution provider for this dispute.

We understand that J. Gary McAuliffe is a licensed attorney but that he will not provide legal advice nor represent any party as an attorney.

We further understand that the services provided by J. Gary McAuliffe will be strictly limited to the alternative dispute resolution method indicated above.

It is expressly agreed between the parties and/or attorneys and J. Gary McAuliffe that alternative dispute resolution services, including, but not limited to, preparation, review, and conference time, will be provided at the rate of \$200 per hour, payable \_\_\_\_ % by \_\_\_\_\_ and \_\_\_\_ % by \_\_\_\_\_. Fees are due and payable no later than 30 days after receipt of an itemized invoice for services rendered.

We declare that we have read, understood, and agreed to the foregoing terms for alternative dispute resolution service.

\_\_\_\_\_  
Name and Title

\_\_\_\_\_  
Signature and Date

\_\_\_\_\_  
Name and Title

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Signature and Date

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Name and Title

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Signature and Date

Alternative Dispute Resolution Fee Agreement, page two

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Name and Title

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Signature and Date

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Name and Title

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Signature and Date

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Name and Title

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Signature and Date

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Name and Title

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Signature and Date